

Effective September 1, 2019, except Section 1 has no effect and Section 2(b) takes effect September 1, 2021.

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**A STUDY ON THE CREATION OF A DEFENSE UNDER THE  
SOLID WASTE DISPOSAL ACT FOR PERSONS ENGAGED IN  
CERTAIN RECYCLING TRANSACTIONS**

**CHAPTER 1162**

H.B. No. 3224

**AN ACT**

**relating to a study on the creation of a defense under the Solid Waste Disposal Act  
for persons engaged in certain recycling transactions.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. (a) In this section:

(1) "Commission" means the Texas Commission on Environmental Quality.

(2) "Recyclable material" has the meaning assigned by 42 U.S.C. Section 9627(b).

(b) The commission, in consultation with industry stakeholders, shall:

(1) conduct a study on the potential impacts of creating a defense to liability under Section 361.271(a)(3) or (4), Health and Safety Code, for persons who arrange for recycling of recyclable material who would not be liable for the recyclable material under 42 U.S.C. Section 9607(a)(3) or (4) based on the person meeting the applicable criteria established under 42 U.S.C. Section 9627; and

(2) propose legislative recommendations based on the study.

(c) The commission shall establish a workgroup that includes industry stakeholders for the purpose of assisting the commission in proposing legislative recommendations under Subsection (b)(2) of this section.

(d) Not later than January 15, 2021, the commission shall submit to the legislature a report on the findings of the study and legislative recommendations based on the study.

(e) This Act expires August 31, 2021.

SECTION 2. This Act takes effect September 1, 2019.

Passed by the House on April 30, 2019: Yeas 143, Nays 3, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 3224 on May 24, 2019: Yeas 138, Nays 3, 2 present, not voting; passed by the Senate, with amendments, on May 22, 2019: Yeas 31, Nays 0.

Approved June 14, 2019.

Effective September 1, 2019.

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**AVAILABILITY OF AND ACCESS TO CERTAIN PROGRAMS  
AND SERVICES FOR PERSONS IN THE CUSTODY OF THE  
TEXAS DEPARTMENT OF CRIMINAL JUSTICE**

**CHAPTER 1163**

H.B. No. 3227

**AN ACT**

**relating to the availability of and access to certain programs and services for persons  
in the custody of the Texas Department of Criminal Justice.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Chapter 493, Government Code, is amended by adding Section 493.032 to read as follows:

*Sec. 493.032. AVAILABILITY OF PEER SUPPORT SERVICES. (a) The department shall adopt a policy to increase the availability of formal and informal peer support services, including certified peer specialist services, to a person confined in a facility operated by or under contract with the department, including a state jail felony facility, substance abuse felony punishment facility, or intermediate sanction facility.*

*(b) The policy adopted under Subsection (a) must:*

*(1) allow for persons who have previously been convicted of an offense, including releasees on parole or mandatory supervision and defendants on community supervision, to serve as certified peer specialists in a facility described by Subsection (a);*

*(2) specify the conditions under which a person described by Subdivision (1) may serve as a certified peer specialist; and*

*(3) allow for persons confined in a facility described by Subsection (a) to serve in a peer support role, provided that the persons are trained and supervised by a community-based organization described by Subsection (c).*

*(c) In implementing the policy adopted under Subsection (a), the department shall:*

*(1) collaborate with community-based organizations that provide peer specialist training, including training in any of the following peer support specialties:*

*(A) certified peer specialist;*

*(B) certified peer reentry specialist;*

*(C) certified peer recovery specialist; or*

*(D) any other peer support specialty recognized by the Health and Human Services Commission; and*

*(2) encourage and assist persons described by Subsection (b)(3), with particular emphasis on persons who have been involved with programs or services relating to substance abuse or behavioral health, to participate in training described by Subdivision (1).*

SECTION 2. Subchapter A, Chapter 501, Government Code, is amended by adding Section 501.026 to read as follows:

*Sec. 501.026. ACCESS TO PROGRAMS BY FEMALE INMATES. (a) The department shall develop and implement policies that increase and promote a female inmate's access to programs offered to inmates in the custody of the department, including educational, vocational, substance use treatment, rehabilitation, life skills training, and prerelease programs. The department may not reduce or limit a male inmate's access to a program to meet the requirements of this section.*

*(b) Not later than December 31 of each year, the department shall:*

*(1) prepare and submit to the governor, the lieutenant governor, the speaker of the house of representatives, each standing committee of the legislature having primary jurisdiction over the department, and the reentry task force described by Section 501.098 a written report that includes:*

*(A) a description of any department policies that were created, modified, or eliminated during the preceding year to meet the requirements of this section; and*

*(B) a list of programs available to female inmates in the custody of the department during the preceding year; and*

*(2) publish the report on the department's Internet website.*

SECTION 3. Not later than September 1, 2020, the Texas Department of Criminal Justice shall adopt and implement the policy required by Section 493.032, Government Code, as added by this Act.

SECTION 4. (a) As soon as practicable after the effective date of this Act, the Texas

Department of Criminal Justice shall develop and implement the policies required by Section 501.026, Government Code, as added by this Act.

(b) The Texas Department of Criminal Justice shall submit the first report required by Section 501.026, Government Code, as added by this Act, not later than December 31, 2020.

SECTION 5. This Act takes effect September 1, 2019.

Passed by the House on April 17, 2019: Yeas 143, Nays 0, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 3227 on May 24, 2019: Yeas 140, Nays 2, 2 present, not voting; passed by the Senate, with amendments, on May 22, 2019: Yeas 31, Nays 0.

Approved June 14, 2019.

Effective September 1, 2019.

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**REGULATION OF FIREARMS, AIR GUNS, KNIVES,  
AMMUNITION, OR FIREARM OR AIR GUN SUPPLIES OR  
ACCESSORIES BY A COUNTY OR MUNICIPALITY**

**CHAPTER 1164**

H.B. No. 3231

**AN ACT**

**relating to the regulation of firearms, air guns, knives, ammunition, or firearm or air gun supplies or accessories by a county or municipality.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 229.001, Local Government Code, is amended by amending Subsections (a), (b), (d), (e), and (f) and adding Subsections (a-1), (b-1), (d-1), and (g) to read as follows:

(a) Notwithstanding any other law, including Section 43.002 of this code and Chapter 251, Agriculture Code, a municipality may not adopt regulations relating to:

(1) the transfer, possession, wearing, carrying, ~~private~~ ownership, storage ~~keeping~~, transportation, licensing, or registration of firearms, air guns, knives, ammunition, or firearm or air gun supplies or accessories; ~~or~~

(2) commerce in firearms, air guns, knives, ammunition, or firearm or air gun supplies or accessories; or

(3) the discharge of a firearm or air gun at a sport shooting range.

(a-1) An ordinance, resolution, rule, or policy adopted or enforced by a municipality, or an official action, including in any legislative, police power, or proprietary capacity, taken by an employee or agent of a municipality in violation of this section is void.

(b) Subsection (a) does not affect the authority a municipality has under another law to:

(1) require residents or public employees to be armed for personal or national defense, law enforcement, or another lawful purpose;

(2) regulate the discharge of firearms or air guns within the limits of the municipality, other than at a sport shooting range;

(3) *except as provided by Subsection (b-1), adopt or enforce a generally applicable zoning ordinance, land use regulation, fire code, or business ordinance* ~~regulate the use of property, the location of a business, or uses at a business under the municipality's fire code, zoning ordinance, or land-use regulations as long as the code, ordinance, or regulations are not used to circumvent the intent of Subsection (a) or Subdivision (5) of this subsection~~;